

WHERE TO GO FOR HELP:

STATE HIGHWAY ADMINISTRATION

Office of Equal Opportunity

Jennifer A. Jenkins, Director
707 North Calvert Street, 4th Floor, Mailstop C-406
Baltimore, Maryland 21202
Toll Free: 1-888-545-0098, Direct: 410-545-0315
jjenkins4@sha.state.md.us

DISTRICT 1 OFFICE

Linda Bloodsworth, EO Officer
660 West Rd. (P.O. Box 751)
Salisbury, MD 21801
410-677-4089

DISTRICT 2 OFFICE

Brandee Jones, EO Officer
625 Morgnec Rd., Rt.-291
Chestertown, MD 21620
410-810-3227

DISTRICT 3 OFFICE

Darrell Davis, EO Officer
9300 Kenilworth Drive
Greenbelt, MD 20770
301-513-7388

DISTRICT 4 OFFICE

Leon Patterson, EO Officer
2323 West Joppa Road
Lutherville, MD 21093
410-321-2448

MARYLAND COMMISSION ON HUMAN RELATIONS

6 St. Paul Street
Baltimore, Maryland 21202
410-767-8600 TTY 410-333-1737

DISTRICT 5 OFFICE

Nancy Palardy, EO Officer
138 Defense Highway
Annapolis, MD 21401
410-841-5450

DISTRICT 6 OFFICE

Matt Troutman, EO Officer
1251 Vocke Road
LaVale, MD 21502
301-729-8492

DISTRICT 7 OFFICE

Cheryl Randow, EO Officer
5111 Buckeystown Pike
Frederick, MD 21701
301-624-8137

THE HANOVER COMPLEX

Michele Kelly, EO Officer
7491 Connelley Drive
Hanover, MD 21076
410-787-7603

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

10 South Howard Street, 3rd Floor
Baltimore, Maryland 21201
410-962-3932 TTY 410-962-6065

SEXUAL HARASSMENT POLICY

The Maryland State Highway Administration (SHA) is committed to creating a workplace void of all unlawful discrimination and more specifically, is free from harassment or intimidation based upon sex.

This policy applies uniformly to all departmental employees, programs and activities. It prohibits any form of unwanted advances of a sexual nature by supervisors, co-workers and clients. This policy also prohibits the granting of preferences or denial of opportunities or benefits because of an individual's submission to or rejection of these sexual advances and prohibits any conduct that creates a hostile or intimidating work environment.

Examples of conduct that could constitute sexual harassment and are prohibited by this policy include, but are not limited to:

1. Unwelcome, unwanted, unsolicited propositions.
2. Suggestive remarks, gestures, or jokes of a sexual nature.
3. Unwelcome and intentional physical behavior such as kissing, hugging, pinching or brushing up against another individual.
4. Displaying or circulating photographs or other materials and objects that are sexually suggestive or that demean or display hostility toward an individual because of that individual's gender.
5. Any other unlawful verbal, non-verbal or physical advances and/or harassment will not be tolerated.

Any SHA employee who feels that she or he is a victim (either directly or indirectly) of sexual harassment should immediately advise her or his supervisor, Equal Opportunity Officer or SHA's Office of Equal Opportunity and may file a complaint of discrimination alleging sexual harassment. Complaints will be taken very seriously. They will be investigated immediately and handled as confidentially as possible.

Specific provisions for processing and investigating complaints of discrimination and procedures for investigating complaints alleging sexual harassment may be found in the Transportation Service Human Resources Procedure manual (TSHRS) Section 11D – "Processing and Investigating Complaints of Discrimination." You may obtain copies of the State of Maryland's Sexual Harassment Awareness and Prevention Policy from the Office of Equal Opportunity.

Swift and appropriate disciplinary actions up to and including termination will be taken against any SHA employee found to have sexually harassed any other SHA employee or beneficiary of SHA services. As with other complaints of alleged discrimination, retaliation against or interference with individuals filing a complaint or participating in an investigation is also strictly prohibited.

Please refer questions related to this policy to the attention of Jennifer A. Jenkins, Director Office of Equal Opportunity, 707 North Calvert Street, Baltimore, Maryland 21202. Toll free: 1-888-545-0098, 410-545-0315

STATE OF MARYLAND State Highway Administration



“Sexual Harassment

Prevention

&



Awareness”

Martin O'Malley
Governor

Anthony G. Brown,
Lieutenant Governor

John D. Porcari
Secretary
Maryland Department of Transportation

Neil J. Pedersen
Administrator
Maryland State Highway Administration

WHAT IS SEXUAL HARASSMENT?

Sexual Harassment is:

Unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature when:

- Submission to or rejection of such conduct is made explicitly or implicitly a term or condition of an individual's employment;
- Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or
- Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

The Law:

Sexual harassment is a violation of Section 703 of Title VII of the Civil Rights Act of 1964, as amended, Article 49B of the Annotated Code of Maryland, the Governor's Code of Fair Employment Practices – Executive Order 01.01.1995.19 and §3 of the State Personnel Article.

State Highway Administration (SHA) specifically prohibits sexual harassment against SHA employees, customers or beneficiaries of SHA services and the public we serve. The State Highway Administration adheres to and enforces The State of Maryland's Sexual Harassment Policy and Procedures.

Types of activities and/or behavior that could constitute sexual harassment:

- Unwanted, unwelcome, unsolicited propositions.
- Requests for sexual favors.
- Lewd or suggestive remarks.
- Discussions of sexual activities or comments on physical attributes.
- Unwanted or offensive touching or brushing up against another's body.
- Displaying sexually explicit written materials, pictures or cartoons.
- Granting job favors or benefits to those who refuse to participate in sexual activities.
- Denying job opportunities or benefits to those who refuse to participate in sexual activities.
- Denying qualified employees employment opportunities or benefits granted another employee who participated in the sexual activity.

POINTS TO REMEMBER:

Sexual harassment is about the use and abuse of power to affect an individual's working environment or receipt of benefits.

A man as well as a woman may be a victim of sexual harassment (the law applies to all forms of sexual harassment, including same sex harassment).

Sexual harassment affects everyone through loss of respect, dignity, motivation and productivity.

In certain circumstances, SHA may be responsible for the behavior of our customers, clients and contractors when in the SHA workplace or when doing business with SHA employees.

YOUR RESPONSIBILITIES:

Here are some steps you can take to ensure that you as well as your fellow employees are following company sexual harassment policies and procedures and maintaining a work environment free from sexual and other forms of harassment

As a victim, DO NOT IGNORE THE BEHAVIOR!

- Confront the offender promptly and directly and indicate specifically what bothers you about the behavior.
- Make your objections clear. Say No!
- Document the offensive behavior (*in extreme cases, an employee need not inform the offending person*).
- If the behavior persists, advise your supervisor, the organization's Equal Opportunity (EO) designee or the Office of Equal Opportunity.
- If necessary, file a formal complaint of discrimination in accordance with the Transportation Service Human Resource System (TSHRS) Discrimination Complaint Policies and Procedures.

As a supervisor, DON'T IGNORE ANY COMPLAINTS! As a supervisor/manager, you will be held accountable for your working environment and are expected to support the Administration's policies in this area in both words and deed.

- Disseminate all policies as instructed.
- Discourage employee conversations involving intimate matters.
- Investigate allegations promptly and confidentially and take immediate appropriate action.
- Discipline illegal and inappropriate behavior.
- Provide training.
- Obtain guidance from your EEO Officer or the Office of Equal Opportunity.

GUIDELINES:

Once a complaint is brought to your attention, the law requires you to take immediate corrective action. Below are some steps you can follow when an employee brings a complaint to your attention:

STEP 1: Put the employee at ease. It's important to be sympathetic concerning the employee's state of mind and to do everything in your power to put her or him at ease.

- Make sure the meeting is held in private.
- Be considerate, make it clear that the employee has your undivided attention.
- Encourage the employee to tell you what happened at her or his own speed and words.

STEP 2: Take every complaint seriously, do not treat the employee's complaint as frivolous.

- Listen without passing judgement or jumping to conclusions.
- If the employee wishes to file a complaint, provide him or her with the necessary form(s) and whatever help or instruction might be needed.
- Don't try to distract the employee or lighten the mood by making humorous remarks.....they might be misinterpreted.

STEP 3: Write the facts down and assure the employee that their allegations will be investigated. Take written notes on the following:

- The specifics-dates, times, and places where the alleged incidents occurred.
- Exactly what happened.
- Whether there were any witnesses to the events.

STEP 4: Investigate. Notify SHA's Office of Equal Opportunity who has the responsibility to fully investigate complaints. Upon investigation completion they will take appropriate and immediate corrective action as appropriate in connection with SHA's Employee/ Employer Relations Unit.

- They will speak with the alleged harasser and any witnesses to the incident(s) in question.
- If at all possible, keep the identities of everyone involved confidential.

STEP 5: Follow-up to make sure that whatever action you have taken has had the desired effect.